

UNITED STATES OF AMERICA)
)
 v.)
)
 MITCHELL RAY LOCKLEAR,)
 ET AL.,)

WHEREAS, this Court entered Preliminary Orders of Forfeiture pursuant to the provision of 21 U.S.C. § 853 and 18 U.S.C. § 924(d)(1), based upon certain defendants agreeing to the forfeiture of the property listed in the Preliminary Orders of Forfeiture, to wit:

1

Def No. 10 – Austin A. Godwin May 25, 2018

Def No. 11 – Eliseo Enriquez, Jr. May 7, 2018

Def No. 12 – Andrea T. Brayboy November 28, 2017.

All items to be forfeited are included in Exhibit A attached hereto;

AND WHEREAS, the potential claimants in this action are Keli Harris, JP Morgan Chase Bank and Chase Auto Finance;

AND WHEREAS, the United States published notice of this forfeiture at the www.forfeiture.gov web site for at least 30 consecutive days, between July 13, 2018 and August 11, 2018, between July 27, 2018 and August 25, 2018, between November 22, 2018 and December 21, 2018, between January 3, 2019 and February 1, 2019, and between February 5, 2019 and March 6, 2019, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions, and said published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, service of this Court's February 7, 2018 Preliminary Order of Forfeiture was made on Keli Harris via Federal Express on August 13, 2018;

AND WHEREAS, service of this Court's February 7, 2018 Preliminary Order of Forfeiture was made on JP Morgan Chase Bank via electronic mail on July 26, 2018, and Chase Auto Finance via Federal Express on July 30, 2018;

AND WHEREAS, service of this Court's Preliminary Orders of Forfeiture was made on certain of the subject vehicles between on January 8, 2019 and January 9,

2019 while in the custody of the Internal Revenue Service – Criminal Investigation, specifically:

Item 4) 2016 Harley Davidson Motorcycle, VIN: 1HD1KRM15GB606297;

Item 7) 2014 Lexus GS 350, VIN: JTHBE18L7E5043234;

Item 8) 2011 Ford F250, VIN: 1FT7W2BT7BEC84233; and

Item 9) 2011 Ford Econoline Van, VIN: 1FBNE3BL1BDB12841;

AND WHEREAS, service of this Court's Preliminary Orders of Forfeiture was made on the subject firearms and ammunition on February 5, 2019 while in the custody of the Federal Bureau of Investigation;

AND WHEREAS, the United States advised the Court that the serial numbers as to certain of the subject firearms, those listed as Items 21, 23, 42 and 58 of Exhibit A to this Court's Preliminary Orders of Forfeiture were incorrectly stated. The correct serial numbers were provided during the publication and service processes, and have been correctly identified in Exhibit A attached hereto;

AND WHEREAS, service of this Court's Preliminary Orders of Forfeiture was made on the subject U. S. currency, \$10,559.00 and \$158,030.00, on November 20, 2018 while in the custody of the U. S. Marshal's Service;

AND WHEREAS, the United States advised this Court that the subject currency, \$158,034.00, listed as Item 2 of Exhibit A to this Court's Preliminary Orders of Forfeiture was incorrectly stated. The correct amount, \$158,030.00, was provided during the publication and service processes, and has been correctly identified in Exhibit A attached hereto;

AND WHEREAS, the United States advised this Court that the subject vehicle, a 2015 Toyota Avalon, VIN: 4TBK1EB7FU160537, and listed as Item 6 in the Preliminary Orders of Forfeiture was released to its lienholder Chase Auto Finance, and subsequently sold. The proceeds from the sale, \$18,393.56, are being forfeited in lieu of the subject vehicle. Service of this Court's Preliminary Orders of Forfeiture was made on the \$18,393.56 representing the proceeds from the sale of the 2015 Toyota Avalon, VIN: 4TBK1EB7FU160537 on February 5, 2019;

AND WHEREAS, the United States advised this Court that the subject vehicles listed as Items 3 and 5 of the Preliminary Orders of Forfeiture have been dealt with in a related civil forfeiture action, *United States of America v. Locklear's Personal Property, et al.*, U. S. District Court No. 7:17-CV-143-D. The specific vehicles are: Item 3 - a 2008 Chevrolet Silverado, VIN: 2GCEK13M981236229, and Item 5 - a 2016 Ford F250, VIN: 1FT7W2BT2GED44572. Hence, these specific vehicles are released from this criminal forfeiture action;

AND WHEREAS, the United States advised this Court that certain firearms listed in the Preliminary Orders of Forfeiture were not taken into federal custody or, will be returned to their owner, specifically, Items 18, 60-64, and 70;

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for any of the subject property described in this Court's Preliminary Orders of Forfeiture, other than those specifically mentioned herein;

It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the remaining property, specifically listed in Exhibit A attached hereto, is hereby forfeited to the United States. The United States Department of Treasury and/or the United States Department of Justice are directed to dispose of the property according to law, including destruction.

2. That any and all forfeited funds shall be deposited by the United States Department of Treasury and/or the United States Department of Justice as soon as located or recovered into the Department of Treasury's Assets Forfeiture Fund and/or the United States Department of Justice in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

SO ORDERED this 25 day of November, 2020.

J. Dever
JAMES C. DEVER III
UNITED STATES DISTRICT JUDGE

Exhibit A

USA v. Mitchell Ray Locklear, et al.
U. S. District Court No. 7:17-CR-00035-D

Currency

- 1) \$10,559 in U.S. Currency
- 2) \$158,030 in U.S. Currency

Vehicles

- 4) 2016 Harley Davidson Motorcycle, VIN: 1HD1KRM15GB606297
- 6) \$18,393.56 in lieu of the 2015 Toyota Avalon, VIN: 4TBK1EB7FU160537
- 7) 2014 Lexus GS 350, VIN: JTHBE18L7E5043234
- 8) 2011 Ford F250, VIN: 1FT7W2BT7BEC84233
- 9) 2011 Ford Econoline Van, VIN: 1FBNE3BL1BDB12841

Firearms, Ammunition and Accessories

- 10) Saiga 12 shotgun, serial number: H11419121
- 11) Winchester SXP shotgun, serial number: 1ZAZY17285
- 12) Remington 11-87 shotgun, serial number: RC839911
- 13) Mossberg 20 gauge shotgun, serial number: T1751320
- 14) AK-47 rifle, serial number: AB-2313-80
- 15) Browning .270 rifle, serial number: 311ZW15439
- 16) Winchester model 70 rifle, serial number: G124655
- 17) Thompson Center .30-06 rifle, serial number: JAA0708

- 19) Springfield XD handgun, serial number: US686129
- 20) Glock 43 handgun, serial number: ZEB221
- 21) Glock 42 handgun, serial number: AAWY104
- 22) Ruger LCP handgun, serial number: 371-10002
- 23) Ruger CCP handgun, serial number: 371413831
- 24) FN Five-seven handgun, serial number: 386283213
- 25) North American Arms Provo Utah, .22 gun, serial number: E018258
- 26) Beretta 3032 Tomcat .32 auto, Accokeek MD, serial number DAA53643
- 27) Beretta Model 8040 F Cougar, serial number: 097556MC
- 28) Glock 22 handgun, serial number: AAHE454
- 29) Ruger Model 10/22, .22 camo print, serial number: 255-47116
- 30) Browning BL-22, .22, serial number: 03155PR126
- 31) DPMS Panther Arms St. Cloud MN 223-5.56, Model A-15, serial number: F083902
- 32) JC Higgins, Model 20, 12 gauge shotgun, no serial number
- 33) Remington Model 1100, 12 gauge Remington Arms, Ilion NY, serial number: M748165X
- 34) Browning Arms Co Morgan Utah, .270 caliber, no serial number
- 35) Ruger American 30-06, serial number: 690-32719

- 36) Remington Versa max shotgun, serial number: RT17662A
- 37) Ruger Model 10/22, .22 caliber, serial number: 250-49700
- 38) Remington 870 Super Mag 20-200, 12 gauge shotgun, serial number: AB701525A
- 39) Remington Model 1100, 12 gauge shotgun, serial number: 413440V
- 40) Mossberg 12 gauge shotgun, Model 835, serial number: UM500380
- 41) Remington Model 1100, 12 gauge shotgun, serial number: M474441M
- 42) Remington 870 Magnum, 12 gauge shotgun, serial number: 1497998M
- 43) Remington, Model 11-87, 12 gauge shotgun, serial number: PC699703
- 44) Remington Chesapeake, Model 1100, 12 gauge shotgun, serial number: DU810057
- 45) Remington Wingmaster, Model 870, 12 gauge shotgun, serial number: C817573M
- 46) Remington, Model 870, 12 gauge shotgun, serial number: C884698M
- 47) Remington 410, Model 1100, gauge shotgun, serial number: L125380H
- 48) Remington, Model 870, 12 gauge shotgun, serial number: WFT1132
- 49) Remington Wingmaster, Model 8770, 12 gauge shotgun, serial number: 1249437V
- 50) Browning, Model Medallion, .22 caliber, serial number: 65411NM2M7
- 51) Winchester, Model 94, 30/30 rifle, serial number: LS23745
- 52) Mossberg shotgun, .410 caliber, serial number: P971681
- 53) Springfield Armory handgun, Model XD40, .40 caliber, serial number: US247033
- 54) Winchester 70-338, .22 caliber, serial number: 35CZZ03689

- 55) Remington Model 870 Magnum, serial number: C573171M
- 56) Marlin, .22 caliber, serial number: 15489402
- 57) Ruger 10-22, serial number: 111-32347
- 58) Stevens 20 gauge shotgun, serial number: PO67324
- 59) Remington 1187, serial number: PC582803
- 65) CL 762 Rifle, made by Imbel SN: 56147
- 66) CN Romamn S/Cugir, SN BU-4571-86
- 67) Colt AR 15, SN: 741717
- 68) AK 47 Mak 90 Sportster, 7.62 x 39 caliber, SN 9477794
- 69) Titan .25 caliber handgun, SN ED72851
- 71) Norinco Sporter semi-auto rifle, SN 9401533
- 72) Professional Ordinance, semi-auto rifle, SN C03786
- 73) Ruger .40 caliber semi-auto pistol, SN 340-37109
- 74) Rock Island Armory .45 semi-auto pistol, SN RIA1404664
- 75) Remington Genesis, SN: 14-13-03528-07
- 76) Shotgun Barrel, camo color with attached Thompson Center Scope Mount
- 77) Two shotgun barrels, black Remington Arms
- 78) ANY and ALL accompanying and seized ammunition